



General Assembly

January Session, 2019

## Amendment

LCO No. 8088



Offered by:

REP. ZAWISTOWSKI, 61<sup>st</sup> Dist.  
REP. CANDELORA, 86<sup>th</sup> Dist.  
REP. O'NEILL, 69<sup>th</sup> Dist.  
REP. LAVIELLE, 143<sup>rd</sup> Dist.  
REP. CHEESEMAN, 37<sup>th</sup> Dist.

REP. FISHBEIN, 90<sup>th</sup> Dist.  
REP. DUBITSKY, 47<sup>th</sup> Dist.  
REP. CARNEY, 23<sup>rd</sup> Dist.  
REP. FRANCE, 42<sup>nd</sup> Dist.  
REP. DELNICKI, 14<sup>th</sup> Dist.

To: Subst. House Bill No. 7209

File No. 691

Cal. No. 427

### **"AN ACT ESTABLISHING THE CONNECTICUT MUNICIPAL REDEVELOPMENT AUTHORITY."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Subdivision (1) of subsection (a) of section 8-127a of the  
4 general statutes is repealed and the following is substituted in lieu  
5 thereof (*Effective October 1, 2019, and applicable to property acquired on or*  
6 *after October 1, 2019*):

7 (a) (1) No real property may be acquired by a redevelopment  
8 agency by eminent domain pursuant to section 8-128 under a  
9 redevelopment plan under this chapter for the primary purpose of  
10 increasing local tax revenue or for any purpose that produces income  
11 from such real property for a private entity.

12 Sec. 502. Subdivision (3) of section 8-125 of the general statutes is  
13 repealed and the following is substituted in lieu thereof (*Effective*  
14 *October 1, 2019, and applicable to property acquired on or after October 1,*  
15 *2019*):

16 (3) A "redevelopment plan" means a plan that includes: (A) (i) A  
17 description of the redevelopment area and the condition, type and use  
18 of the structures therein, and (ii) specification of each parcel proposed  
19 to be acquired, including parcels to be acquired by eminent domain;  
20 (B) the location and extent of the land uses, other than for any purpose  
21 that produces income from any such parcel acquired by eminent  
22 domain for a private entity, proposed for and within the  
23 redevelopment area, such as housing, recreation, business, industry,  
24 schools, civic activities, open spaces or other categories of public and  
25 private uses; (C) the location and extent of streets and other public  
26 utilities, facilities and works within the redevelopment area; (D)  
27 schedules showing the number of families displaced by the proposed  
28 improvement, the method of temporary relocation of such families and  
29 the availability of sufficient suitable living accommodations at prices  
30 and rentals within the financial reach of such families and located  
31 within a reasonable distance of the area from which such families are  
32 displaced; (E) present and proposed zoning regulations in the  
33 redevelopment area; (F) a description of how the redevelopment area  
34 is deteriorated, deteriorating, substandard or detrimental to the safety,  
35 health, morals or welfare of the community; and (G) any other detail  
36 including financial aspects of redevelopment which, in the judgment  
37 of the redevelopment agency authorized herein, is necessary to give it  
38 adequate information;

39 Sec. 503. Subsection (b) of section 8-127 of the general statutes is  
40 repealed and the following is substituted in lieu thereof (*Effective*  
41 *October 1, 2019*):

42 (b) Before approving any redevelopment plan, the redevelopment  
43 agency shall hold a public hearing on the plan, notice of which shall be  
44 published at least twice in a newspaper of general circulation in the

45 municipality, the first publication of notice to be not less than two  
46 weeks before the date set for the hearing. At least thirty-five days prior  
47 to any public hearing, the redevelopment agency shall post the plan on  
48 the Internet web site of the redevelopment agency, if any. The  
49 redevelopment agency may approve any such redevelopment plan if,  
50 following such hearing, it finds that: (1) The area in which the  
51 proposed redevelopment is to be located is a redevelopment area; (2)  
52 the carrying out of the redevelopment plan will result in materially  
53 improving conditions in such area; (3) sufficient living  
54 accommodations are available within a reasonable distance of such  
55 area or are provided for in the redevelopment plan for families  
56 displaced by the proposed improvement, at prices or rentals within the  
57 financial reach of such families; (4) the redevelopment plan is  
58 satisfactory as to site planning, relation to the plan of conservation and  
59 development of the municipality adopted under section 8-23 and,  
60 except when the redevelopment agency has prepared the  
61 redevelopment plan, the construction and financial ability of the  
62 redeveloper to carry it out; (5) the planning agency has issued a  
63 written opinion in accordance with subsection (a) of this section that  
64 the redevelopment plan is consistent with the plan of conservation and  
65 development of the municipality adopted under section 8-23; and (6)  
66 (A) public benefits resulting from the redevelopment plan will  
67 outweigh any private benefits; (B) existing use of the real property  
68 cannot be feasibly integrated into the overall redevelopment plan for  
69 the project; (C) acquisition by eminent domain is reasonably necessary  
70 to successfully achieve the objectives of such redevelopment plan; and  
71 (D) the redevelopment plan is not for the primary purpose of  
72 increasing local tax revenues or for any purpose that produces income  
73 from such real property for a private entity. No redevelopment plan  
74 for a project that consists predominantly of residential facilities shall be  
75 approved by the redevelopment agency in any municipality having a  
76 housing authority organized under the provisions of chapter 128  
77 except with the approval of such housing authority.

78 Sec. 504. Subdivision (1) of subsection (b) of section 8-193 of the

79 general statutes is repealed and the following is substituted in lieu  
80 thereof (*Effective October 1, 2019, and applicable to property acquired on or*  
81 *after October 1, 2019*):

82 (b) (1) The development agency may, with the approval of the  
83 legislative body in accordance with this subsection, and in the name of  
84 the municipality, acquire by eminent domain real property located  
85 within the project area and real property and interests therein for  
86 rights-of-way and other easements to and from the project area, in the  
87 same manner that a redevelopment agency may acquire real property  
88 under sections 8-128 to 8-133, inclusive, as if said sections specifically  
89 applied to development agencies, except that no real property may be  
90 acquired by eminent domain pursuant to this subsection for the  
91 primary purpose of increasing local tax revenue or for any purpose  
92 that produces income from such real property for a private entity.

93 Sec. 505. Subdivision (1) of subsection (i) of section 32-224 of the  
94 general statutes is repealed and the following is substituted in lieu  
95 thereof (*Effective October 1, 2019, and applicable to property acquired on or*  
96 *after October 1, 2019*):

97 (i) (1) The implementing agency may, with the approval of the  
98 legislative body of the municipality, and in the name of the  
99 municipality, condemn in accordance with section 8-128 to 8-133,  
100 inclusive, any real property necessary or appropriate for the project as  
101 identified in the development plan, including real property and  
102 interests in land for rights-of-way and other easements to and from the  
103 project area, except that no real property may be condemned pursuant  
104 to this subsection for the primary purpose of increasing local tax  
105 revenue or for any purpose that produces income from such real  
106 property for a private entity.

107 Sec. 506. Subsection (a) of section 32-222 of the general statutes is  
108 repealed and the following is substituted in lieu thereof (*Effective*  
109 *October 1, 2019, and applicable to property acquired on or after October 1,*  
110 *2019*):

111 (a) "Business development project" means a project undertaken by  
112 an eligible applicant involving one or more of the following:

113 (1) The construction, substantial renovation, improvement or  
114 expansion of a facility;

115 (2) The acquisition of new machinery and equipment;

116 (3) The acquisition, other than by condemnation for any purpose  
117 that produces income for a private entity, improvement, demolition,  
118 cultivation or disposition of real property, or combinations thereof, or  
119 the remediation of contaminated real property;

120 (4) The creation at a facility, within twenty-four months of the  
121 initiation of a hiring program, not less than ten new jobs or an increase  
122 in the number of persons employed at the facility of twenty per cent,  
123 whichever is greater;

124 (5) Economic diversification of the economy of an area of the state or  
125 manufacturing or other economic base business where such area or  
126 business is substantially reliant upon defense and related industry;

127 (6) Participation in the avoidance of an imminent plant closing or  
128 relocation by a manufacturing or other economic base business or  
129 assist or improve the economy of an area of the state which has been or  
130 is likely to be significantly and adversely impacted by one or more  
131 major plant closings or relocations;

132 (7) Support research and development or commercialization of  
133 technologies, products, processes or techniques of a manufacturing or  
134 other economic base business;

135 (8) Creation or support of organizations and activities specifically  
136 leveraging federal resources that provide technical and engineering  
137 assistance to small manufacturers or other economic base businesses to  
138 assist them with the design, testing, manufacture and marketing of  
139 new products, the exporting of state products and services, and the  
140 instruction and implementation of new techniques and technologies;

- 141 (9) Support of substantial workforce development efforts;
- 142 (10) Promotion of community conservation or development or  
143 improvement of the quality of life for urban residents of the state;
- 144 (11) Promotion of the revitalization of underutilized, state-owned  
145 former railroad depots and areas adjacent to such depots; or
- 146 (12) Promotion of export activities, including sponsorship of  
147 programs that support exportation, assistance to companies in  
148 accessing federal Department of Commerce services, and provision of  
149 marketing materials and web site improvements for exporters;
- 150 Sec. 507. Subsection (b) of section 32-224 of the general statutes is  
151 repealed and the following is substituted in lieu thereof (*Effective*  
152 *October 1, 2019, and applicable to property acquired on or after October 1,*  
153 *2019*):
- 154 (b) The implementing agency may initiate a municipal development  
155 project by preparing and submitting a development plan to the  
156 commissioner. Such plan shall meet an identified public need and  
157 include: (1) A legal description of the real property within the  
158 boundaries of the project area; (2) a description of the present  
159 condition and uses of such real property; (3) a description of the  
160 process utilized by the agency to prepare the plan and a description of  
161 alternative approaches considered to achieve project objectives; (4) a  
162 description of the types and locations of land uses or building uses  
163 proposed for the project area; (5) a description of the types and  
164 locations of present and proposed streets, sidewalks and sanitary,  
165 utility and other facilities and the types and locations of other  
166 proposed project improvements; (6) statements of the present and  
167 proposed zoning classification and subdivision status of the project  
168 area and the areas adjacent to the project area; (7) a plan for relocating  
169 project area occupants; (8) a financing plan; (9) an administrative plan;  
170 (10) an environmental analysis, marketability and proposed land use  
171 study, or building use study if required by the commissioner; (11)  
172 appraisal reports and title searches if required by the commissioner;

173 (12) a description of the public benefit of the project, including, but not  
174 limited to, (A) the number of jobs which the implementing agency  
175 anticipates would be created or retained by the project, (B) the  
176 estimated property tax benefits, (C) the number and types of existing  
177 housing units in the municipality in which the project would be  
178 located, and in contiguous municipalities, which would be available to  
179 employees filling such jobs, (D) a general description of infrastructure  
180 improvements, including public access, facilities or use, that the  
181 implementing agency anticipates may be needed to implement the  
182 development plan, (E) a general description of the implementing  
183 agency's goals for blight remediation or, if known, environmental  
184 remediation, (F) a general description of any aesthetic improvements  
185 that the implementing agency anticipates may be generated by the  
186 project, (G) a general description of the project's intended role in  
187 increasing or sustaining market value of land in the municipality, (H) a  
188 general description of the project's intended role in assisting residents  
189 of the municipality to improve their standard of living, and (I) a  
190 general statement of the project's role in maintaining or enhancing the  
191 competitiveness of the municipality; (13) a finding that (A) the land  
192 and buildings within the boundaries of the project area will be used  
193 principally for manufacturing or other economic base business  
194 purposes or business support services; (B) the plan is in accordance  
195 with the plan of conservation and development for the municipality, if  
196 any, adopted by its planning commission under section 8-23, and the  
197 plan of development of the regional council of governments adopted  
198 under section 8-35a, if any, for the region within which the  
199 municipality is located; (C) the plan was prepared giving due  
200 consideration to the state plan of conservation and development  
201 adopted under chapter 297 and other state-wide planning program  
202 objectives of the state or state agencies as coordinated by the Secretary  
203 of the Office of Policy and Management; and (D) the project will  
204 contribute to the economic welfare of the municipality and the state  
205 and that to carry out and administer the project, public action under  
206 sections 32-220 to 32-234, inclusive, is required; and (14) a preliminary  
207 statement describing the proposed process for acquiring each parcel of

208 real property, including findings that (A) public benefits resulting  
 209 from the plan will outweigh any private benefits; (B) existing use of the  
 210 real property cannot be feasibly integrated into the overall plan for the  
 211 project; (C) acquisition by eminent domain is reasonably necessary to  
 212 successfully achieve the objectives of such plan; and (D) the plan is not  
 213 for the primary purpose of increasing local tax revenues or for any  
 214 purpose that produces income from such parcel for a private entity.  
 215 The provisions of this subsection with respect to submission of a  
 216 development plan to and approval by the commissioner and with  
 217 respect to a finding that the plan was prepared giving due  
 218 consideration to the state plan of conservation and development and  
 219 state-wide planning program objectives of the state or its agencies shall  
 220 not apply to a project for which no financial assistance has been given  
 221 and no application for financial assistance is to be made under section  
 222 32-223. Any plan that has been prepared under chapters 130, 132 or  
 223 588a may be submitted by the implementing agency to the legislative  
 224 body of the municipality and to the commissioner in lieu of a plan  
 225 initiated and prepared in accordance with this section, provided all  
 226 other requirements of sections 32-220 to 32-234, inclusive, for obtaining  
 227 the approval of the commissioner of the development plan are  
 228 satisfied. Any action taken in connection with the preparation and  
 229 adoption of such plan shall be deemed effective to the extent such  
 230 action satisfies the requirements of said sections."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2019, and applicable to property acquired on or after October 1, 2019</i>	8-127a(a)(1)
Sec. 502	<i>October 1, 2019, and applicable to property acquired on or after October 1, 2019</i>	8-125(3)
Sec. 503	<i>October 1, 2019</i>	8-127(b)



Sec. 504	<i>October 1, 2019, and applicable to property acquired on or after October 1, 2019</i>	8-193(b)(1)
Sec. 505	<i>October 1, 2019, and applicable to property acquired on or after October 1, 2019</i>	32-224(i)(1)
Sec. 506	<i>October 1, 2019, and applicable to property acquired on or after October 1, 2019</i>	32-222(a)
Sec. 507	<i>October 1, 2019, and applicable to property acquired on or after October 1, 2019</i>	32-224(b)